

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GREATER ST. LOUIS CONSTRUCT.)
LABORERS WELFARE FUND, et al.,)
)
Plaintiffs,)
)
v.) Case No. 4:20 CV 1250 RWS
)
B.F.W. CONTRACTING, LLC, et al.,)
)
Defendants.)

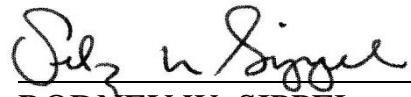
MEMORANDUM AND ORDER

This matter is before the Court on “defendant’s motion to void the proposed agreement between the parties as it is rendered defective by the plaintiff’s misrepresentation and failure to act in good faith in the mediation and for sanctions.” [40]. According to this motion, a settlement may have been reached at mediation which defendant now moves to vacate. The Court was never informed of a settlement. Further, plaintiffs state that they never thought the case was settled. Based on these pleadings, it plainly appears that there was never a “meeting of the minds” between the parties as to settlement. The Court concludes that there is no settlement to vacate, so the motion to void a settlement is denied as moot.

After due consideration, the Court finds no evidence that plaintiffs acted in bad faith during mediation, so the motion for sanctions is denied.

Accordingly,

IT IS HEREBY ORDERED that defendant's motion to void the proposed settlement [40-1] is denied as moot and the motion for sanctions [40-2] is denied.



RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 13th day of December, 2021.